

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK FIASCKI : CIVIL ACTION
: :
v. : :
: :
JOHN PALAKOVICH, et al. : NO. 09-CV-3528

O R D E R

AND NOW, this 5th day of November, 2009, IT IS HEREBY ORDERED that:

1. The petition for a writ of *habeas corpus* is DENIED as untimely.
2. There is no cause to issue a certificate of appealability.
3. The Clerk of Court shall mark this case closed.

BY THE COURT:

J. William Ditter, Jr.
J. WILLIAM DITTER, JR., J.